

Civil Action No. 6:18-cv-00604

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) He GangPeng was received by me on (*date*) Mar 11, 2020, 9:30 pm.

I personally served the summons on the individual at (*place*) \_\_\_\_\_ on (*date*) \_\_\_\_\_; or \_\_\_\_\_;

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_, a person of suitable age and discretion who resides there, on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_, who is designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_ on (*date*) \_\_\_\_\_; or \_\_\_\_\_;

I returned the summons unexecuted because: I spoke with the current homeowner, Mrs. Grissom, she stated she never heard of the defendant and has been living at the address since 1980. I asked her if she knew any other of the neighbors across the street or next door who may be the defendant. Mrs. Grissom stated no one that she knew with the name "Gangpeng" lives near her residence. I asked Mrs. Grissom about the street type, she stated about 4-5 years ago the street she currently lives on was Road but converted to Street. The following vehicle was parked in the driveway: TX Tag 5FYDT registered to RICKIE GRISHAM; or

Other: \_\_\_\_\_; or \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 03/12/2020



*Server's signature*

Mauricio Segovia, Process Server PSC-1689

*Printed name and title*

400 N ERVAY ST #131122, DALLAS, TX 75201-3112

*Server's address*

Additional information regarding attempted service, etc.:

1) Unsuccessful Attempt: Mar 12, 2020, 1:48 pm CDT at HOME: 902 AUGUSTA ST, RED OAK, TX 75154-2308  
[Mobile Home Community]

I spoke with the current homeowner, Mrs. Grissom, she stated she never heard of the defendant and has been living at the address since 1980. I asked her if she knew any other of the neighbors across the street or next door who may be the defendant. Mrs. Grissom stated no one she knew with that name lives near her residence. I asked Mrs. Grissom about the street type, she stated about 4-5 years ago the street was Road but converted to Street.

The following vehicle was parked in the driveway: TX Tag 5FYDT registered to RICKIE GRISHAM

EXHIBIT D

AFFIDAVIT OF NON-SERVICE

State of Texas

County of

United States District Court Court

Case Number: 6:18-CV-00604



PNL2020000480

Plaintiff:  
VIAHART LLC

vs.

Defendant:  
DOES 1-54

Received by JSSI Process Server on the 24th day of March, 2020 at 1:22 pm to be served on **HU QI BO, 9346 WILLIAMS GLEN COVE, GERMANTOWN, TN 38139**.

I, OTHNIEL PENN, being duly sworn, depose and say that on the **24th day of March, 2020 at 4:55 pm**, I:

**NON-SERVED the SUMMONS IN CIVIL ACTION; AMEND COMPLAINT** because the Defendant is unknown at the address furnished by the attorney.

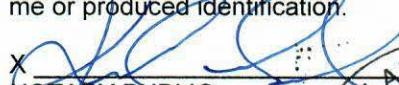
**Additional Information pertaining to this Service:**

3/24/2020 4:54 pm SERVICE COMPLETE at 9346 WILLIAMS GLEN COVE, GERMANTOWN, TN 38139, Defendant is unknown. Spoke with white male, 55, who said he does not know defendant.

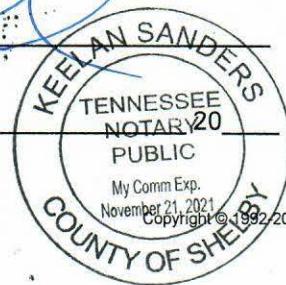
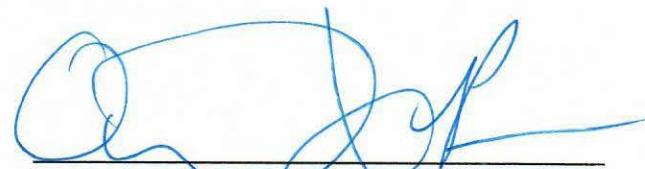
I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. I have personal knowledge of the facts stated herein and they are true and correct.

Subscribed and Sworn to before me on

6 day of April, 2020

by the affiant who is personally known to  
me or produced identification.X   
NOTARY PUBLIC

My Commission Expires

OTHNIEL PENN  
PROCESS SERVER # B-233

JSSI Process Server  
3485 Poplar Avenue  
Suite 207  
Memphis, TN 38111  
(901) 324-7006

Our Job Serial Number: PNL-2020000480  
Ref: 6:18-CV-00604

Civil Action No. 6:18-cv-00604

## PROOF OF SERVICE

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)*

Valeniy

Shevchenko

was received by me on (date) March 17, 2020

I personally served the summons on the individual at (place)

on *(date)* ; or

I left the summons at the individual's residence or usual place of abode with (name)

, a person of suitable age and discretion who resides there,

, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* , who is

designated by law to accept service of process on behalf of *(name of organization)*

on *(date)* ; or

I returned the summons unexecuted because unable to make contact; or

Other (specify):

I declare under penalty of perjury that this information is true.

Date:

*Josh M*  
Server's signature

Justin Meyer Process Server  
Printed name and title

17013 7th St., Melvina, MI 49089  
Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:18-cv-00604-RWS-KNM

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Chen Jian was received by me on *(date)* Mar 18, 2020, 9:33 am.

I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

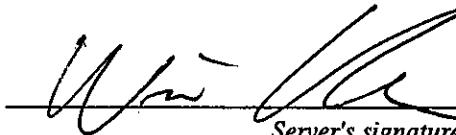
I returned the summons unexecuted because: Per Asian male in his 30's, there is no Jian Chen that works at the location provided.; or

Other: Per Asian male in his 30's, there is no Jian Chen that works at the location provided.; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 4/7/2020

  
*Server's signature*

William Mendoza L.A. CO. RPS#2018213179

*Printed name and title*

Thomas Court Services 4834 Swiss Ave. Dallas, TX 75204  
214-220-0226

*Server's address*

Additional information regarding attempted service, etc.:

1) Unsuccessful Attempt: Apr 1, 2020, 2:06 pm PDT at 1460 S Archibald Ave, Ontario, CA 91761  
Per Asian male in his 30's, there is no Jian Chen that works at the location provided.

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ) Creedon PLLC 3001 Dallas Parkway, Suite 570 Frisco, Texas 75034 TELEPHONE NO: _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): Plaintiff	FOR COURT USE ONLY
UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF TEXAS STREET ADDRESS: 211 W Ferguson St MAILING ADDRESS: 211 W Ferguson St CITY AND ZIP CODE: Tyler, TX 75702 BRANCH NAME: United States District Court	
PLAINTIFF / PETITIONER: Viahart LLC DEFENDANT / RESPONDENT: Deng Qiu Ju	CASE NUMBER: 6:18-cv-00604-RWS-KNM
<b>DECLARATION OF DILIGENCE</b>	
Ref. No. or File No.:	

I received the within assignment for filing and or/service on 3/16/2020: and that after due and diligent effort I have been unable to serve said person. I attempted service on this servee on the following dates and times:

Servdee and Address: **Deng Qiu Ju**  
Business: 7626 Miramar Rd Ste. 3200, San Diego, CA 92126

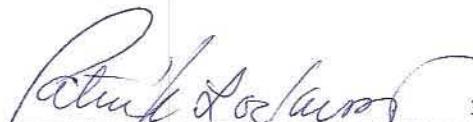
Documents: District Court Summons; Amended Complaint

As enumerated below:

Attempt: Mar 17, 2020, 11:36 am at: 7626 Miramar Rd Ste. 3200, San Diego, CA 92126

Made contact with occupant doing business in Ste. 3200. Brian Selden (Male, White, 25-30 y/o, 5'4"), owner of Conscious water business says that he has leased this unit for several months. Claims that he has received mail at his address for the defendant Deng Qiu Ju. No forwarding address provided.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 17, 2020



3/17/2020

Patrick Lockwood  
San Diego County Registered Process  
Server No. 3411

2300 E Valley Pkwy #139  
Escondido, CA 92027  
858.255.4070

## AFFIDAVIT OF NON-SERVICE

Case: 6:19-cv- 00604	Court: UNITED STATES DISTRICT COURT FOR EASTERN DISTRICT OF TEXAS	County:	Job: 4430427
Plaintiff / Petitioner: VIAHART LLC		Defendant / Respondent: DOES 1-54	
Received by: Margaret Ruddock		For: Edison Litigation Financing LLC	
To be served upon: Vinvin Zhu			

I, Margaret Ruddock, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: **Vinvin Zhu**, COMPANY: 4225 Phil Niekro Parkway 102, Norcross, GA 30093

Manner of Service: Unsuccessful Attempt

Documents: SUMMONS IN A CIVIL ACTION and Amended Complaint (Received Mar 19, 2020 at 2:25am EDT)

## Additional Comments:

1) Unsuccessful Attempt: Mar 19, 2020, 1:44 pm EDT at COMPANY: 4225 Phil Niekro Parkway 102, Norcross, GA 30093

Bad address. This is a commercial lot with most of the suites vacant and few vehicles in the parking lot. Suite #102 was vacant with two pieces of mail in the box. Server spoke to the business in suite #104 who told server that the business left about five years ago and he does not know where they went.

*Subscribed and sworn to before me by the affiant who is personally known to me.*

*Margaret Ruddock*

Date



Notary Public

Date

Commission Expires

*Denine Jordan*

*3/23/2020*

*Sept 1, 2023*

## EXHIBIT D

## AFFIDAVIT OF NON-SERVICE

Case: 6:18-cv-00604	Court: US District Court Eastern District of TX	County: Tyler Division	Job: 4424831
Plaintiff / Petitioner: VIAHART, LLC	Defendant / Respondent: DOES 1-54		
Received by: Walton Investigations	For: Edison Litigation Financing LLC		
To be served upon: Thomas			

I, David Brady, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Thomas, Home: 205 Park Ave, Rhodhiss, NC 28867

Manner of Service: Bad Address

Documents: DOES 1-54 Amended Complaint (5).pdf (Received Mar 18, 2020 at 8:30am EDT), Thomas Summons.pdf (Received Mar 18, 2020 at 8:30am EDT)

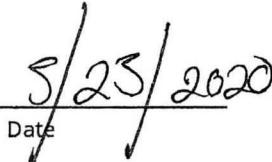
## Additional Comments:

1) Unsuccessful Attempt: Mar 19, 2020, 3:14 pm EDT at Home: 205 Park Ave, Rhodhiss, NC 28867

I spoke to Caroline Sterlin and she stated that no Thomas lived on the premises. I made two attempts, the first no one was home. The second they were having a family gathering.



David Brady



Date

## ACKNOWLEDGMENT

North Carolina Guilford County

April D. Williamson Notary Public for said

County and State, do hereby certify that

David Brady personally appeared before me this day and acknowledged the due execution of the attached

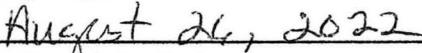
Summons VIAHART, LLC VS Thomas

Witness my hand and official seal, this the 23 day of March 2020

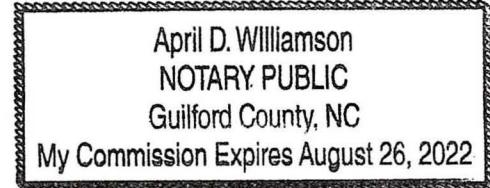
(Official Seal)



Notary Public



Date Commission Expires



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:18-cv-00604-RWS-KNM

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) Qi Yun Yun was received by me on (*date*) Mar 18, 2020, 9:33 am.

I personally served the summons on the individual at (*place*) \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_, a person of suitable age and discretion who resides there, on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_, who is designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I returned the summons unexecuted because: Defendant is not located here.; or

Other: \_\_\_\_\_; or

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 03/20/2020

DocuSigned by:  
  
 Server's signature

Elias Elhayek

Printed name and title

Thomas Court Services 4834 Swiss Ave. Dallas, TX 75204  
 (214) 220-0226

Server's address

Additional information regarding attempted service, etc.:

**1) Unsuccessful Attempt: Mar 19, 2020, 3:03 pm PDT at 15364 Valley Blvd, City Of Industry, CA 91746**

Per Lilly Fan. Finance Manager of ALPS LA, NBC Transportation and Elite Technology she said that their company just moved in last June to this address and they do not know of anyone with this name. The owner of these 3 Companies last name Is Zhao

**INVESTIGATIVE DUE DILIGENCE AFFIDAVIT**

United States District Court for the Eastern District of Texas

Viahart LLC

Attorney: NONE

Plaintiff(s),

VS.

Mike Hart  
1321 Upland Drive Suite 6481  
Houston TX 77043

DOES 1-54

Defendant(s).



\*253196\*

Case Number: 6:18-cv-00604

Legal documents received by Same Day Process Service, Inc. was requested to provide an affidavit of due diligence for subject(s), **Guangwu Li on 03/11/2020 at 9:29 AM at 2425 Blueridge Ave Apt 204, Silver Spring, MD 20902**

The undersigned, swear and affirm that on **March 16, 2020 at 7:56 PM**, I did the following:

**NON-SERVED:** After careful inquiry and diligent attempts, I was unable to serve **Guangwu Li** the **Summons in a Civil Action; Amended Complaint; Exhibits** for the reason(s) indicated in the comments below:

Date/Time	Address	Remarks
03/16/2020-7:22 PM	2425 Blueridge Ave Apt 204 Silver Spring, MD 20902	Upon my arrival, I proceeded towards the residence and began knocking on the front door for 15 minutes. I did not receive a response. I marked the subject's front door and left the area. No additional information provided. - Attempted by Kion Lathan
03/16/2020-7:56 PM	2425 Blueridge Ave Apt 204 Silver Spring, MD 20902	I received a telephone call from current resident, Saw Yaw, at the address who stated the subject no longer resides at the address and does not have any forwarding information. Mr. Yaw provided his telephone number of: 202-730-6929. - Attempted by Kion Lathan

Kion Lathan  
Process Server

District of Columbia: SS  
Subscribed and Sworn to before me  
this 18<sup>th</sup> day of March 2020.

Michael Molash, Notary Public, D.C.  
My commission expires July 14, 2022

Internal Job ID:253196



Same Day Process Service, Inc.  
1413 K St., NW, 7th Floor  
Washington DC 20005  
(202)-398-4200  
info@samedayprocess.com

Requests for Investigative Due Diligence on a subject can always be expanded upon. There are occasions during which a subject's current whereabouts can be found in the data compiled. The subject's true location, however, can be

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:18-cv-00604

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* **ISAAC BEREZ**  
was received by me on *(date)* **03/12/2020**

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ **0.00** for travel and \$ **85.00** for services, for a total of \$ **85.00**.

I declare under penalty of perjury that this information is true.

Date: **3/27/2020**

  
*Charles Johnson*  
Server's signature

*Charles Johnson Process Server*  
Printed name and title

*237 NE Chkalov Dr. #232, Vancouver WA  
98684*  
Server's address

Additional information regarding attempted service, etc:

I went to serve Isaac Berez on 03/13/2020 at 10705. I knocked on the door and Isaac's father answered. His name is Jacob. He said that his Son, Isaac was only 15 years old and was not available, and asked what I needed him for, I told him I had some legal documents for him. I spoke with Jacob about them for several minutes, and asked him to take service for his Son, Isaac. He declined, he said he would not take service, that Jacob was not available and that he would talk to him about the matter, he then asked me to leave his property which I did. I made a second attempt to serve Isaac Berez on 03/16/2020 I believe that someone was in the home but would not answer the door. On 3/17/2020 both Oregon and Washington issued social distancing orders that would prohibit further in person service and have made no further attempts to serve.

**Print**

**Save As...**

**Reset**

AO 440 (Rev. 01/09) Summons in a Civil Action (Page 2)

Civil Action No. 6:18-CV-00604

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) MAN XIANG

was received by me on (date) 3/19/2020

I personally served the summons on the individual at (place) MAN XIANG

AT 560 COPPER DR. WILMINGTON, DE 19804 on (date) 3/19/2020 , or AT 12:20 PM

I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_

\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (name of individual) \_\_\_\_\_, who is

designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
on (date) \_\_\_\_\_

I returned the summons unexecuted because \_\_\_\_\_, or

Other (specify):

Description: Asian male approx 45, 5'6 170 lbs. with short black hair & balding.  
when asked for ID he refused.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: 3/19/2020



*Server's signature*

KEVIN S. DUNN

PROCESS SERVER

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc:

SERVED: SUMMONS & AMENDED COMPLAINT.

SWORN TO ON 3/19/2020

